



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,390	07/09/2002	Louis R. H. A. Willemsen	000771.00030	2890

22907 7590 06/23/2005

BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

EXAMINER

NGUYEN, THUKHANH T

ART UNIT	PAPER NUMBER
----------	--------------

1722

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,390

Applicant(s)

WILLEMSEN, LOUIS R. H. A.

Examiner

Thu Khanh T. Nguyen

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-7 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer et al (5,219,594) in view of Alexander et al (4,755,128).

Meyer et al teach an apparatus for molding plastic material, comprising a plurality of mold cavities (35A-D), each having a plurality of side wall segments (8A-D) radially movable in a horizontal direction, wherein each of the segment is coupled to a linear drive member (not shown, col. 3, lines 14-18) via a coupling member, or lifter (9, 15, 16), which converting the vertical movement of the drive member into radially moving of the wall segments in the horizontal direction (Fig. 3, 8A-D), wherein less space is needed to move the mold segments for moving the molded product, the apparatus requires less space, and the mold cavities can be arranged in a smaller press (col. 1, lines 50-68).

However, Meyer et al fail to disclose means for loading material into the mold cavity.

Alexander et al disclose a molding apparatus, comprising a mold cavity (58), and means (94) for providing sheet material (88) into the mold cavity (col. 6, lines 6-8).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Meyer et al by providing a loading means as taught by Alexander et al in order to supply the molding material into the mold cavity.

Art Unit: 1722

In regard to claim 4, Meyer et al disclose that the vertically movable drive member comprises a slide platen (14) and the hydraulic press (30-33) arranged vertically relative to each other.

In regard to claims 5-7, Meyer et al fails to disclose a stamp as part of the lower mold for removing the article. Alexander et al disclose an ejecting plate, or stamp (64) forming as part of the lower mold cavity and vertically movable for ejecting the formed article from the cavity (Fig. 7).

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to replace Meyer et al's ejector pin with an ejector plate as part of the cavity as taught by Alexander, because the ejector plate would have greater contacting surface with the molding article than the ejector pin, therefore, it would prevent deformation during the removal of the product.

In regard to claims 11-12, Meyer et al disclose that three or four mold segments could be used surrounding the mold cavity (col. 2, lines 36-37).

Allowable Subject Matter

3. Claims 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach or suggest that the coupling comprises prismatic pins, each extending at the same angle relative to the direction of movement of the drive

Art Unit: 1722

element, and each mold segment comprises a channel into which the pins fit and each channel having an axis corresponding to the axis of the corresponding pins.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 4-7, and 11-12 have been considered but are moot in view of the new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Khanh T. Nguyen whose telephone number is 571-272-1136. The examiner can normally be reached on Monday- Friday, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN


ROBERT DAVIS
PRIMARY EXAMINER
GROUP 1300 / 700

6/22/05